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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

No. C 01-00435 CRB

12 Plaintiff,

ORDER

13 v.

14 REGINALD AKINS,

15 Defendant.

16
17 Now pending before the Court is defendant's motion pursuant to 28 U.S.C. section
18 2255 to vacate, set aside, or correct his sentence. Defendant's motion arises out of an
19 inconsistency in the Verdict Form with respect to Count Four of the Superseding Indictment.
20 In particular, the first sentence of the Verdict Form as to Count Four should have referred to
21 the crime charged in Count Two; instead, the Verdict Form referred to the crime charged in
22 Count One. Defendant contends that as a result he was never convicted of the crime charged
23 in Count Four.

24 The government is directed to file a response to defendant's motion on or before July
25 11, 2008.

26 **IT IS SO ORDERED.**

27 Dated: June 25, 2008



28
CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California

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